

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**CIVIL CONFERENCE
MINUTE ORDER**

BEFORE: STEVEN I. LOCKE
U.S. MAGISTRATE JUDGE

DATE: 6/28/2023
TIME: 11:30 am

CASE: CV 21-0676(JMA) Felix v. County of Nassau et al

TYPE OF CONFERENCE: ORAL ARGUMENT FTR: 11:36-11:46; 11:56-12:12

APPEARANCES:

For Plaintiff: Fred Lichtmachter

For Defendant: James Murphy (County of Nassau)
Michael James DelPiano (Perez and Lang)
Leo Dorfman (Giovaniello and Psomas)
Serena Longley (AG)
Tamikka Pate (AG)

THE FOLLOWING RULINGS WERE MADE:

- ☒ ORDER: Oral argument held on Plaintiff's motion to compel, DE [56]. The motion is denied for the reasons set forth on the record, namely that Plaintiff cannot move compel responses to a subpoena that he did not serve. See, e.g., *US Bank Nat'l Ass'n v. Triaxx Asset Mgt LLC*, 18-CV-4044 (BCM), 2020 WL 9549505 n.2 (S.D.N.Y. Nov. 30, 2020); *Joint Stock Co., Informir LLC*, 16-CV-1318 (GBD)(BCM), 2018 WL 6712769 n.5 (S.D.N.Y. Nov. 30, 2018); *Kingsway Financial Servs., Inc. v. PriceWaterhouseCoopers LLP*, 03 Civ. 5560 (RMB(HBP), 2009 WL 72165 (S.D.N.Y. Jan. 9, 2009).

Plaintiff served a subpoena on the non-party NYAG in Court, which the NYAG accepted. The NYAG will serve a response to the subpoena on July 12, 2023. The parties and non-parties will meet and confer (by phone or video conference is acceptable) on July 13, 2023 at 3:00pm. Moving papers in support of a motion to quash will be served on July 27, 2023. Opposition will be served on August 10, 2023. Reply papers will be served on August 18, 2023. All papers will be filed by the moving party on August 21, 2023.

SO ORDERED

/s/Steven I. Locke
STEVEN I. LOCKE
United States Magistrate Judge